

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

JONATHAN BAEZ

Case: 2:14-mj-30477
Judge: Unassigned,
Filed: 09-17-2014 At 11:33 AM
CMP USA V BAEZ (LCB)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 16, 2014 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

21 U.S.C. Section 841(a)(1)

21 U.S.C. Section 846

18 U.S.C. Section 924(c)

Possession with Intent to Distribute Heroin

Conspiracy to Commit a Title 21 Offense

Possession of a Firearm During/Relation to Drug Trafficking Offense

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: September 17, 2014


City and state: Detroit, Michigan



Complainant's signature

Special Agent Chad Hermans, DEA

Printed name and title



Judge's signature

Hon. Mona K. Majzoub, U.S. Magistrate

Printed name and title

AFFIDAVIT

Affiant, Special Agent Chad Hermans, being duly sworn, deposes and states the following:


- A. Affiant is a Special Agent (SA) of the Drug Enforcement Administration and has been employed as such since May 2012. Affiant is a law enforcement officer empowered to conduct investigations and make arrests for Violations of Title 21, United States Code. Prior to his employment with DEA he was a full time police officer in the State of Michigan since 2002.
- B. On September 16, 2014, Michigan State Trooper Bryon Bierema and his K-9 partner Hank (police canine), were in full uniform and a fully marked Michigan State patrol vehicle. Trooper Bierema conducted a lawful traffic stop, for several traffic violations, on a 2014 Toyota bearing Illinois registration 97052PV¹ in the area of mile marker 54 on East Bound I-94.
- C. Trooper Bierema made contact with the driver and sole occupant of the vehicle. The driver identified himself with an Illinois driver's license as Jonathan BAEZ.
- D. Trooper Bierema was immediately alerted to the smell of marijuana coming from inside the vehicle. Trooper Bierema informed BAEZ that he could smell marijuana and asked BAEZ if he would consent to a search of the vehicle. BAEZ agreed to give consent to have the vehicle searched. Trooper Bierema also confirmed his suspicion of narcotics being in the vehicle by having his K-9 partner "sniff" around the outer perimeter of the vehicle. The K-9 alerted positive to the scent of narcotics coming from outside the vehicle.
- E. Trooper Bierema had the vehicle moved to an off-site location a short distance from the traffic stop so Troopers could safely examine the vehicle without the fear of being hit by highway traffic.
- F. Once at the off site location, Trooper Bierema with the assistance of his K-9 partner conducted a search of the inside of the vehicle. The K-9 alerted positive to the scent of narcotics near the center console of the vehicle. Upon closer inspection it became apparent that there was a "trap" or hidden compartment typically used to conceal narcotics, guns, and currency in the center console of the vehicle. Troopers informed Bierema that they had located the hidden compartment and Trooper Bierema then read BAEZ his Miranda rights from a standardized Michigan State Police Miranda card. BAEZ verbally stated to Trooper BAEZ that he understood his rights and would show Trooper BAEZ how to open the hidden compartment. BAEZ opened the hidden compartment which was found to be in the bottom of the center console and opened towards the back seat of the vehicle.
- G. Once the hidden compartment was opened the following items were seized from it:
Approximately 110 grams of heroin, approximately 9.1 grams of cocaine, a total of \$5,403.00 (this was the total money taken from the vehicle), one (1) Ruger 9mm handgun (Serial Number 300-66830), one (1) Springfield Armory .45 Caliber handgun (Serial Number N425298), one (1) 9 mm magazine containing 15 live 9mm bullets, one (1) extended .45 caliber magazine

¹ Illinois registration 97052PV currently registers to Jonathan BAEZ at 3562 W. Cortland St. 1, Chicago, Illinois.

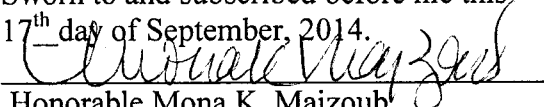
containing 17 live .45 caliber bullets, one (1) .45 caliber magazine containing 6 live .45 caliber bullets, one (1) empty .45 caliber magazine, and one (1) loose live .45 caliber bullet.

- H. DEA Detroit was notified by Michigan State Police prior to the hidden compartment being opened.
- I. DEA Detroit took custody of the above contraband and placed BAEZ under arrest.
- J. The cocaine was later field tested positive for cocaine. The heroin was later field tested positive for heroin.
- K. At approximately 5:45 p.m., Special Agent's Chad Hermans and Steve West again advised BAEZ of his Miranda rights. BAEZ signed a DEA Miranda form indicating that he understood his rights and did wish to make a statement.
- L. BAEZ claimed ownership of the handguns, currency, cocaine, and heroin. BAEZ stated that the cocaine was for personal use; however he had conspired to deliver the heroin to an unknown subject (person he refused to name) in the Eastern District of Michigan, specifically Detroit.
- M. A criminal history check determined that BAEZ was previously arrested and charged with the following felonies, all in the State of Illinois. There is no disposition listed for any of the charges so it is not known at this time what the final disposition on any of the charges were: February 16, 2000, Possession of a Controlled Substance; May 10, 2004, Battery/Bodily Harm; March 25, 2005, Illegally Possess a Firearm, Aggravated Discharge of a Firearm, Carrying a Concealed Weapon; September 9, 2005, Delivery of Cannabis in a School Zone; February 2, 2006, Manufacture Cannabis; August 25, 2007, Manufacture Cannabis; May 11, 2012, Possession of a controlled substance.
- N. Based on the aforementioned facts, your affiant maintains that probable cause exists to believe that Jonathan BAEZ did knowingly and intentionally conspire to possess controlled substances, and firearms in violation of Title 21, United States Code, §§ 846 and 841(a)(1), as well as Title 18, United States Code § 924(c).

I declare under penalty of perjury the foregoing to be true and correct to the best of my knowledge and belief.


SA Chad Hermans
Drug Enforcement Administration

Sworn to and subscribed before me this
17th day of September, 2014.


Honorable Mona K. Majzoub
United States Magistrate Judge
Eastern District of Michigan